

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 16105 of Ingersoll and Bloch, Chartered, pursuant to 11 DCMR 3108.2, for a special exception under Section 508 to establish law offices in the basement through the third floor in an SP-2 District at premises 1300 N Street, N.W. (Square 245, Lot 840).

HEARING DATE: April 17, 1996
DECISION DATE: April 17, 1996 (Bench Decision)

SUMMARY ORDER

The Board provided proper and timely notice of public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 2F and to owners of property within 200 feet of the site.

The site of the application is located within the jurisdiction of ANC 2F. ANC 2F, which is automatically a party to the application, submitted a written statement of issues and concerns in support of the application.

As directed by 11 DCMR 3324.2, the Board has required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for a special exception pursuant to 11 DCMR 508. No person or entity appeared at the public hearing in opposition to the application or otherwise requested to participate as a party in this proceeding. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3108, and that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. It is therefore **ORDERED** that the application is **GRANTED**, **SUBJECT** to the following **CONDITIONS**:

1. The number of employees shall not exceed 40.
2. The normal hours of operation shall be from 8:00 a.m. to 8:00 p.m., Monday through Saturday.
3. Seven parking spaces shall be reserved for use by the law office. The spaces shall be striped.


4. The exterior of the premises shall be kept free of trash and debris.
5. Loitering shall not be permitted on the premises.
6. Landscaping shall be maintained in a healthy growing condition.
7. The applicant shall apply to the Board of Zoning Adjustment within six months of the issuance of an Order for zoning relief relative to this application to operate the parking lot which is located on the site.

Pursuant to 11 DCMR 3301.1, the Board has determined to waive the requirement of 11 DCMR 3331.3 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is appropriate in this case.

VOTE: 5-0 (Angel F. Clarens, Laura M. Richards, Sheila Cross Reid, Susan Morgan Hinton and Herbert M. Franklin to grant).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


MADELIENE H. DOBBINS
Director

MAY 17 1996

FINAL DATE OF ORDER: _____

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

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THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS, UNLESS
WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR
CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER
AND REGULATORY AFFAIRS.

ord16105/twr/ljp

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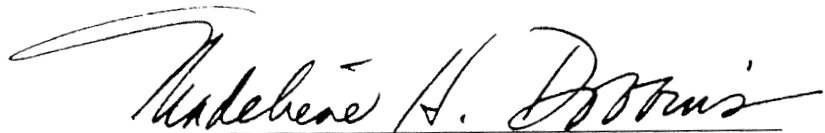
BZA APPLICATION NO. 16105

As Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on MAY 17 1996 a copy of the order entered on that date in this matter was mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Norman M. Glasgow, Jr., Esquire
Wilkes, Artis, Hedrick and Lane
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Jay A. Zawatsky, Esquire
Ingersoll and Bloch, Chartered
1401 16th Street, N.W.
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Mr. David Morris, Chairperson
Advisory Neighborhood Commission - 2F
1225-A N Street, N.W.
Washington, D.C. 20005


MADELIENE H. DOBBINS
Director

DATE: MAY 17 1996